

Instructions

Under the Assignment of Claims Act of 1940 as amended (31 U.S.C. 203 41 U.S.C. 15), moneys due or to become due from the United States under a contract providing for payment aggregating \$1,000 or more may be assigned to a bank, trust company, Federal lending agency, or other recognized financing institution in the absence of a contract provision forbidding assignment. Unless expressly permitted by the contract, an assignment must cover all further amounts payable under the contract, shall not be subject to further assignment, and shall not be made to more than one party, except one party as agent or trustee for those participating in the financing.

Since such assignments shall be recognized only if and when the assignee thereof files written notice of the assignment, these instructions shall be followed carefully in order to avoid delay, inconvenience, and possible impairment of the validity of the assignment.

1. Upon execution of an assignment under Assignment of Claims Act of 1940, as amended, the assignee shall prepare, signed and forward the number of copies of the notices as indicated below, together with one true copy of the instrument of assignment, to each of the parties with whom notice is required to be filed"
 - a. The contracting officer or the head of his agency-original and one copy.
 - b. The surety or sureties upon the bond or bonds, if any in connection with such contract-original and two copies.
2. To the original (but not the copies) of each Notice of Assignment, there must be attached one true copy of the instrument of assignment. This may consist of (a) a duplicate original containing all the signatures, seals, acknowledgements, etc., which appear on the original, (b) a complete photo static copy of the original, or (c) a certified copy, typewritten or otherwise, of the original, if it is accurate and complete in all respects, including signatures, seals, acknowledgements etc., provided that a certificate to the effect that it is a true copy is executed by a notary public or other officer authorized by law to administer oaths.
3. If there is no surety bond in connection with the contract-giving rise to the claim, which is assigned, it is not necessary to serve notice of assignment upon any surety.
4. The addressees shall acknowledge receipt of this notice, if in order, in the space provided, and return the copy (s) to the assignee.
5. One copy of each such receipted notice shall be retained by the assignee [or his own records and one copy of each notice receipted by a SURETY, if any, shall be attached to the first voucher, invoice or other similar document submitted for payment. If assignee is a person or firm that held a lien or encumbrance in connection with the contract at time of assignment, a proper waiver executed by such assignee shall also be attached to such first voucher or invoice.

6. It is the policy the U.S. Department of Agriculture (hereinafter referred to as "USDA") to notify the assignee of the amount of any indebtedness of the contractor, which is to be collected by USDA by setoff from payments due under the contract. The assignee will generally receive such setoff notices when receipted copies of the Notice of Assignment are returned to him. Whenever the assignee is given a setoff notice by USDA, the amounts payable under the contract will be the amounts remaining to be paid after setoff unless the assignee establishes a priority right to payments, before any setoff is made, because of a lien or encumbrance held by him in connection with the contract at time of assignment.
7. USDA may setoff any amounts for which the assignor is indebted to the United States for taxes with respect to which a notice of lien was filed, or a Notice of Levy was served, in accordance with the provisions of the Internal Revenue Code of 1954 (26 U.S.C. 6323; 6331), prior to acknowledgement by USDA of receipt of the notice of assignment.

Reminders

- Notice and Instrument of Assignments are to be received in *triple original* form signed with *blue ink*
- Name of the officer for assigner on the Notice of Assignment- should be typed as well as having an official signature for all originals
- Instrument of Assignments must have a notary stamp and or a cooperate seal on all originals
- Commodity Procurement Branch issues 9 digit contract numbers beginning with 1202***** any number(s) following the 9th digit is not an authorized contract number and should not appear on the notice nor the instrument of assignment
- Forms are to be filled out in their entirety

CCC-251

(10-14-93)

U.S. DEPARTMENT OF AGRICULTURE
Commodity Credit Corporation

1. DATE OF NOTICE

NOTICE OF ASSIGNMENT

IMPORTANT: This document is used to make assignments for both the Commodity Credit Corporation (CCC) and the United States Department of Agriculture (USDA). Assignments for the two Agencies are similar, but the rules governing them are not identical. Please make sure you know whether CCC or USDA is the agency named in the contract before completing this form.

2. CONTRACT MADE BY (Check one)

Commodity Credit
Corporation ☐United States Department
of Agriculture ☒

3. CONTRACT

NO.
1202*****DATE Contract
Award Date

4. RETURN TO (Name and address of addressee) (For CCC contracts, this is the USDA office to which invoices will be submitted for payment. For USDA contracts, this is the contracting officer.)
Contracting Officer, USDA/AMS/F&V/CPB
Stop 0239, Post Office Box 96456
Washington, DC 20090-6456

5. CONTRACT MADE WITH (Name and address of contractor and warehouse code, if applicable)

Veggiebean Fruitful Nut Company
2300 Sweet Potato Lane
Juicy Juice, GA 12300

6. TYPE OF CONTRACT

Canned Fruit

7. INSTRUCTIONS:

Monies payable from the U.S. under a USDA or CCC contract may be assigned to a bank, trust company, federal lending agency, or other recognized lending institution. However, if such contract was made with a corporation whose stock is wholly owned by the federal government, such contract may be assigned to a prior lienholder, or, with the prior approval of the contracting officer, to an individual.

Further, the rights of the assignee to the proceeds of a USDA or CCC contract are subject to, inter alia, defenses arising under the contract which the government could have asserted against the assignor absent the assignment.

Unless expressly permitted by the contract, any assignment shall cover all amounts payable under the contract and not already paid and shall not be made to more than one party, except that any assignment may be made to one party as agent or trustee for two or more parties participating in such financing. If the contract was made with CCC, it shall not be subject to further assignment.

Since such assignments shall be recognized only if and when the assignee thereof files written notice of the assignment, these instructions shall be followed carefully in order to avoid delay, inconvenience, and possible impairment of the validity of the assignment.

- A. Upon execution of an assignment, the assignee shall prepare, sign and forward the original signed copy of this notice, together with the original signed copy of the instrument of Assignment to the addressee. Photocopies of each executed form shall be sent to the surety or sureties upon the bond or bonds (if any) in connection with the contract.
- B. The addressee shall acknowledge receipt of this notice, if in order, in the space provided and return photocopies of each acknowledged form to the assignee.
- C. It is the policy of CCC and USDA to notify the assignee of the amount of any indebtedness of the contractor which is to be collected by CCC/USDA by offset from payments due under the contract. The assignee will generally receive such offset notice when receipted copies of the Notice of Assignment are returned to him/her. Whenever the assignee is given an offset notice by CCC/USDA, the amounts payable under the contract will be the amounts remaining to be paid after offset unless the assignee establishes a priority right to payments, before any offset is made, because of a lien or encumbrance held by him/her in connection with the contract at time of assignment.
- D. CCC/USDA may offset any amounts for which the assignor is indebted to the United States for taxes with respect to which a notice of lien was filed, or a Notice of Levy was served, in accordance with the provisions of the Internal Revenue Code of 1954 (26 U.S.C. 6323;6331), prior to acknowledgement by CCC/USDA of receipt of the notice of assignment.
- E. Such assignment shall remain in force until addressee receives written advice from the assignee to release this assignment.

NOTE: Payment due or to become due under the contract identified above will be made to the undersigned assignee.

8. NAME AND ADDRESS OF ASSIGNEE (Please limit name to one line (30 spaces) and limit address to two lines (30 spaces each).)

Spendaway Bank
1600 Saveadollar Lane
Money Tree, USA

9. STATUS OF ASSIGNEE AT TIME OF ASSIGNMENT (Check appropriate box)

- ☒ FINANCIAL INSTITUTION
- ☐ PERSON OR FIRM HOLDING A LIEN OR ENCUMBRANCE (Valid for CCC Contracts only.)
- ☐ PERSON OR FIRM NOT HOLDING A LIEN OR ENCUMBRANCE (Valid for CCC contracts only. Assignee understands a valid assignment for all purposes in this case requires the contractor to obtain approval of the contracting officer or other designated official of CCC in writing before the assignment will be recognized by CCC.)

BY (Name of Signing Officer for Assignee)

TITLE

DATE

Cashious Millions

President

10. ACKNOWLEDGEMENT

Receipt is acknowledged of this notice and a signed copy of the above-mentioned instrument of assignment. Date and time of receipt is as follows:

TIME	DATE	BY (Signature)	TITLE
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CCC-252
(10-14-93)U.S. DEPARTMENT OF AGRICULTURE
Commodity Credit Corporation

INSTRUMENT OF ASSIGNMENT

CONTRACT NUMBERED 1202*****

DATED

KNOW ALL MEN BY THESE PRESENTS: That Veggiebean Fruitful Nut Company

I (We) Apple Dumpling

this 29 day of February, for value

received, do hereby assign to Spendaway Bank, 1600 Saveadollar Lane, Money Tree, USA

Attn: Cashious Millions

Account # *****

(222) 222-2220

of

all right, title, and interest, to all monies due or to become due from the United States or from any agency or department thereof, or any corporation whose stock is wholly owned by the federal government, under Contract No. 1202*****

dated

I (We) stipulate that such monies payable from the U.S. under such contract are being assigned to a bank, trust company, federal lending agency, or other recognized lending institution, unless such contract was made with a corporation whose stock is wholly owned by the federal government, in which case such contract may be assigned to a prior lienholder, or, with the prior approval of the contracting officer, to an individual.

I (We) further stipulate that the rights of the assignee to the proceeds of this contract are subject to, inter alia, defenses arising under the contract which the government could have asserted against the assignor absent the assignment.

I (We) further stipulate that no previous assignment has been made and agree that no additional assignments will be made under this contract; that payments thereunder will be made by checks drawn to the order of the assignee; that the assignment shall remain in force until released on written advice by the assignee.

Contractor Veggiebean Fruitful Nut Company

By Apple Dumpling

Title President

ATTEST:

(SECRETARY)

(Affix Corporate Seal)

RETURN TO:



United States
Department of
Agriculture

Farm and Foreign
Agricultural Services

Farm Service
Agency

Kansas City
Finance Office
P.O. Box 419205
Kansas City,
Missouri
64141-6205

Notice of ACH Functionality for PCIMS Assignments
Effective 2/1/2006

ALL ASSIGNMENTS WILL NOW BE MADE BY EFT

PCIMS assignment functionality, which in the past has been limited to check disbursements, has been modified to adhere to current Federal regulations requiring that all payments be made by EFT. This system modification will also provide a more secure method of disbursing assignments to payees.

Please notify your contractors who issue assignments of this change. Instruct them to have their financial institution retaining the assignment to prepare a SF-3881 ACH form and include this form as part of the assignment package (CCC-251 Notice of Assignment) and CCC-252 Instrument of Assignment) that is returned to you.

When the assignment packet (including the SF-3881) is received by this office, it will be reviewed by the Financial Operations Division (FOD), Payment Certification Branch (PCB) for appropriate documents and certifications. The SF-3881 ACH form will be immediately forwarded to Bob Glenn in the FOD, Cash Operations and Analysis Branch (COAB) for system input.

If you have any questions concerning this new procedure, contact Fran Nutter (FOD/PCB) 816 926-6169 regarding assignments or Bob Glenn (FOD/COAB) concerning ACH disbursements 816 926-6988.

**ACH VENDOR/MISCELLANEOUS PAYMENT
ENROLLMENT FORM**

OMB No. 1510-0056

This form is used for Automated Clearing House (ACH) payments with an addendum record that contains payment-related information processed through the Vendor Express Program. Recipients of these payments should bring this information to the attention of their financial institution when presenting this form for completion. See reverse for additional instructions.

PRIVACY ACT STATEMENT

The following information is provided to comply with the Privacy Act of 1974 (P.L. 93-579). All information collected on this form is required under the provisions of 31 U.S.C. 3322 and 31 CFR 210. This information will be used by the Treasury Department to transmit payment data, by electronic means to vendor's financial institution. Failure to provide the requested information may delay or prevent the receipt of payments through the Automated Clearing House Payment system.

AGENCY INFORMATION

FEDERAL PROGRAM AGENCY

United States Department of Agriculture - Commodity Credit Corporation

AGENCY IDENTIFIER:

USDA-FSA-KCFO

AGENCY LOCATION CODE (ALC):

0000-4992-2

ACH FORMAT:

☒ CCD+ ☐ CTX

ADDRESS:

ACH Disbursements, Mail Stop 8575

P. O. Box 419205 Kansas City, MO 64141-6205

CONTACT PERSON NAME:

Bob Glenn

TELEPHONE NUMBER:

(816) 916-6985

ADDITIONAL INFORMATION:

FAX Number: (816) 823-1364

PAYEE/COMPANY INFORMATION

NAME:

SSN NO. OR TAXPAYER ID NO.:

MAILING ADDRESS:

ENTRY/MASTER-CONTRACT CODE (if known)
(Attach sheet if more space required)

DISBURSEMENT STATEMENT MAILING ADDRESS (if different from above):

CONTACT PERSON NAME:

TELEPHONE NUMBER:

FINANCIAL INSTITUTION INFORMATION

NAME:

ADDRESS:

ACH COORDINATOR NAME:

TELEPHONE NUMBER:

NINE-DIGIT ROUTING TRANSIT NUMBER:

DEPOSITOR ACCOUNT TITLE:

DEPOSITOR ACCOUNT NUMBER:

LOCKBOX NUMBER:

TYPE OF ACCOUNT:

☐

CHECKING

☐

SAVINGS

☐

LOCKBOX

SIGNATURE AND TITLE OF AUTHORIZED OFFICIAL (Could be the same as ACH Coordinator):

TELEPHONE NUMBER:

AUTHORIZED FOR LOCAL REPRODUCTION (Form designed using Word 2000 - USDA-FSA-KC)

F-3281 (Rev. 2/2003)
Prescribed by Department of Treasury
31 U.S.C. 3322; 31 CFR 210

AGENCY COPY